IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO : 14227 of 2005

Between:

1 The Director-General, Department of post,
Ashoka Road, New delhi.

2 The Post Master-General, Kurnool Region, Kurnool.

3 The Supt of Post Offices, Tirupathi Division, Chittoor district.

4 The sub-Divisional Inspector (Postal), Piler Sub-Division, Piler,
Chittoor district.

...PETITIONERS

AND

1 Smt.V.Hemalatha, W/o.M.Lokanatha Reddy,
Nehru Bazar TSO, Piler Town , Chittoor district.

2 G.Hari , Nehru bazar TSO, Piler Town, Chittoor district.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ in the nature of Certiorari or any appropriate writ, order or direction,

calling for the records pertaining to Order dt.12-08-2004 in OA.no.509 of 2004 on the file of Hon'ble Central Administrative Tribunal, Hyderabad Bench, Hyderabad, and quash the same or pass such further or other orders.

Counsel for the Petitioners: MR.A.RAJASHEKAR REDDY (ASST SOLICITOR GEN)

Counsel for the Respondent No.1:MR.KRISHNA DEVAN

Counsel for the Respondent No.2: None appeared

The Court made the following :

ORDER (Per the Hon'ble Sri Justice J.Chelameswar)

This Writ Petition is filed with a prayer to quash the order dated 12-08-2004 in O.A.No.509 of 2004 on the file of the Central Administrative Tribunal, Hyderabad.

The above mentioned O.A. was filed challenging the order, dated 21-04-2004, passed by the fourth petitioner herein who was the fourth respondent in O.A. by which the fourth petitioner sought to terminate the appointment of the 1st respondent herein as GDSSV, Nehru Bazar, TSO, Piler of Tirupathi division. The Tribunal by its order, dated
12-08-2004 allowed the O.A. Aggrieved by the said order of the Tribunal, the present Writ Petition is filed.

At the stage of admission, the 1st respondent entered into appearance and filed the counter and placed a communication dated 24-06-2005 of the third petitioner herein. The relevant portion reads as follows:

"You may be aware that the Department of Posts has revised the norms for

the post of GDS Stamp Vendors. All posts of GDS Stamp Vendors were directed by the Postal Directorate, Ministry of Communications, New Delhi to be reviewed and unjustified posts to be abolished.

You have been regularly recruited and appointed as GDS Stamp Vendor at Nehru Bazar, TSO at Piler of Tirupathi Division. In the above mentioned review to be carried out for GDS SV posts, your post of GDS Stamp Vendor, Nehru Bazar, TSO was carried out and not justified and hence was ordered to be abolished vide memo no. A/N Bazar dated 20-04-2004. However, as you have been regularly recruited and appointed in GDS cadre, therefore, your service as GDS clearly stands and is not terminated. The order issued by SDI (P), Piler in memo no.PF/GDS/SV/Nehru Bazar dated 21-04-2004 is hereby cancelled. You will be retained in the GDS cadre."

In view of the fact that the order of the fourth petitioner herein which was impugned in the above mentioned O.A. now stands cancelled, nothing survives in the writ petition and the writ petition itself is misconceived.

Accordingly, the writ petition is dismissed at the admission stage.

J.CHELAMESWAR, J

M.VENKATESWARA REDDY, J

DATED: 13-07-2005

Hsd

Asst, Registrar

To

1 The Director-General, Department of post,
Ashoka Road, New delhi.

2 The Post Master-General, Kurnool Region, Kurnool.

3 The Supt of Post Offices, Tirupathi Division, Chittoor district.

4 The sub-Divisional Inspector (Postal), Piler Sub-Division, Piler,
Chittoor district.

5. The Registrark, Central Administrative Tribunal, Hyderabad

6. 2 CD copies.